S.B.CIVIL WRIT PETITION NO.6221/2007

Mangilal
v.
State of Rajasthan & Ors.

Date of Order :: 5th October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. M.S.Godara, for the petitioner.

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This petition for writ is preferred to challenge the order dated 27.12.2006 passed by Additional Collector (Administration), Chittorgarh rejecting the revision petition preferred by the petitioner under Section 97 of the Rajasthan Panchayati Raj Act, 1994 (hereinafter referred to as "the Act of 1994"). The revision petition aforesaid was preferred to challenge a patta dated 6.1.2006 granted by Gram Panchayat Shadi in favour of Government Primary School Chandrakheri, Tehsil Begu for construction of school building. Learned Additional Collector while rejecting the revision petition held that the land was allotted in public interest after adhering the procedure prescribed under the relevant rules.

The contention of counsel for the petitioner is that the land allotted to the Government Upper Primary School also includes a portion of land i.e. in

possession of the petitioner and, therefore, same could have not been allotted to anybody else.

I have considered the contention raised by counsel for the petitioner and also examined the order impugned.

Learned Collector while rejecting the revision petition preferred by the petitioner specifically stated that no interference shall be made with the land measuring 30x45 feet allotted to the petitioner under the patta dated 5.3.2002, as such the apprehension of the petitioner that the land allotted to him shall also be occupied by the school is absolutely ill-founded. I do not find any error in the order impugned that may warrant interference of this Court under Article 227 of the Constitution of India.

Accordingly, this petition for writ is dismissed.

(GOVIND MATHUR),J.

Kkm/ps.